

### **Remarks**

The Office Action mailed April 15, 2009 has been carefully considered. After such consideration, independent apparatus Claims 1; 53; 77; and independent method Claims 151; 152; and 153 have been amended to further clarify the present inventions over the art cited by the Office. The amended elements can be found, for example, at page 14, lines 32-33 and page 16, lines 16-30. Therefore, no new matter is added by this amendment. Thus, apparatus Claims 1-52; 53-76; and 77-150; and corresponding method Claims 151; 152; and 153 remain in the case with none of the claims having been allowed.

The Office Action rejected Claims 1-153 under 35 U.S.C. 112(2) as failing to properly invoke 35 U.S.C. 112(6). The language in the previous amendments has been amended to correct this technicality as best understood by the Applicant.

The Office Action also rejected Claims 1-153 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-52 and 151-153 recite a method. Claims 53-150 recite a system. The Applicant respectfully disagrees and requests reconsideration in view of the above amendments (which correct independent Claim 1 to a system rather than a method) and the following remarks.

It is respectfully submitted that the rejection of the Claims in the present application under 101 is similar to the fact situation in Ex parte Andreas Myka and Christina Lindholm (Decided: May 13, 2009). In this decision, the Appellants overcame a 101 rejection by "communicating" information between a master device and a slave device. The claims at issue related to bonding 'slave' devices, such as media capture devices, and instructing the devices to communicate captured media files with a specified set of metadata included.

The Examiner in that case rejected the claims under 101 using the "useful, concrete, and tangible result" test. However, the BPAI found that the steps set forth in the claims are performed by a master device or a bondable/bonded slave device. The BPAI agreed with the Appellants, for example, that the independent claims include "communicating information between the master device and the bonded device." Thus, the BPAI found that the claims were each tied to a particular machine or apparatus and reversed the 101 rejection.

In the present case, the data pulling component on the at least two invoicers' web sites or on web sites of entities working on behalf of the invoicers reads each invoicer's data using the data pulling component, packages the invoicer's data and sends the data to the remote customer interface in response to customer data requests using the data pulling component. Thus, it is clear that the present claims are tied to a particular machine or apparatus and the 101 rejection should be withdrawn.

The Examiner has again rejected Claims 1-153 as being unpatentable under 35 U.S.C. 103 by U.S. Patent No. 6,826,542 to Virgin *et al.* ("Virgin") in view of U.S. Patent No. 6,493,685 to Ensel ("Ensel"). Reconsideration and allowance is respectfully requested in view of the following remarks.

U.S. Patent No. 6,826,542 to Virgin *et al.* is a central invoicing system. Customers (payors) and invoicers can use the central invoicing system by connecting to it by a network, such as the Internet, and using an interaction device, such as a personal computer with web browsing software. Customers can create, on the central invoicing system, a list of invoicers from whom they wish to receive invoices. The system sends invitations, including a user name and password, to the selected invoicers to enroll with the central invoicing system. The system provides invoicers with a facility to enroll with the central invoicing system over the Internet. Customers can also customize the format of the invoices they are to receive from the selected invoicers.

The central invoicing system of Virgin stores each customer's particular invoicing format on a server. The system allows an invoicer to connect to the system through the Internet to create invoices. The invoicer can then submit that invoice to the customer through the system. The system formats the invoice according to the customer's desired invoice format and transmits the invoice to the customer's financial system. Once notified, the customer may access the central invoicing system to view, process, and approve the invoice. If the customer approves the invoice, the invoice is transmitted to the customer's financial system. However, the invoicing system of Virgin does not include a dynamic inbox that allows a customer a choice of which invoicers to display in the customer's dynamic inbox. The Examiner states that Ensel teaches a dynamic in-box (col. 8, lines 14-25 and col. 9, lines 20-40). However, the Applicants respectfully disagree for at least the following reasons.

Specifically, as best seen in Figure 110 of the present application, there is shown a schematic representation of the dynamic display portion of an automated electronic invoicing and payment consolidation system constructed according to present invention. Remote computer 440 accesses the portal display web server for enrolling invoicers. Network 710 accesses web server, through either Internet, internal LAN, or dialup. Web server 720 at the portal hosts the dynamic inbox application.

The portal Page builder application 730 creates page for display of portal information to customer. This application constructs and outputs web html documents for display on the web server. It also accepts customer requests for display and navigation through the page and site. This application calls the bill summary page builder 740 to create the dynamic inbox section of the page for the customer. The portal application 730 passes the customer information obtained by the customer login into the portal site to the bill summary page builder 740.

Bill summary page builder application 740 constructs the bill summary for the customer on the portal's page. The page builder builds the dynamic inbox for a customer upon request by first authenticating through the customer authentication application 745 that validates that this is a valid customer. It also retrieves the stored security tokens for the customer to pass to the invoicer data server 765 in encrypted form through a secure link. The invoicer data server 765 then confirms the customer's validation information against its customer authentication database 600. The bill summary page builder also retrieves from the customer authentication application 745 the list of invoicers that the customer chooses to display in their dynamic inbox. The bill summary page builder then calls the invoicer authentication application 750 to validate the invoicers selected by the customer and also retrieves the invoicer URL information for building the invoicer links in the dynamic inbox.

The bill summary page builder passes a series of requests to the invoicer data server 765 through a secure link for the customer, including security tokens for validation, invoicer, and accounts, and type of data requested. After validating the customer and the invoicer, the invoicer data server 765 then returns back the requested data to the bill summary page builder through a secure link.

Invoicer authentication application 750 validates that the invoicers sent from the bill summary page builder are valid invoicers by checking against the invoicer authentication

database 430. It also retrieves other invoicer information including URLs from the invoicer authentication database 430.

Customer preferences application 760 allows customer to configure the display of web pages from the portal. The customer is able to select how and what items they would like to have displayed on their page. The customer can also configure how bills are displayed for dynamic inbox in this application by selecting display changes based upon certain values. For example, the customer could configure the application to change the color of the invoicer line to red if the date due has exceeded the current day. This application will store customer's preferences and retrieve them upon page display by the customer.

Database 770 stores customer page preferences. This database is used for storage of those preferences and its data is retrieved by the customer preferences application 760 for determining the customer's preferences when displaying the page.

Invoicer data server 765 is responsible for validating the request from the bill summary page builder 740 and returning the appropriate data or error message to this application.

The portal validation application 772 is part of the invoicer data server 765 that first validates that portal making the request is a valid portal by checking against the portal enrollment database 530. Account validation application 775 is part of the invoicer data server 765 that validates the customer's account and identification is valid by checking the security tokens against the customer authentication database 600. The application decrypts the security token and compares this decrypted token with the customer's token stored in the database.

The Request Translator application 780 is part of the invoicer data server 765 and passes the customer's request to the appropriate server for retrieving the necessary data. XML server 790 retrieves information about the customer's bill data for this account and packages it into an XML format that is returned to the invoicer data server 765. It retrieves this information through the invoicer summary server application 820 that retrieves this information from the invoicer's system either at the time of the request or in a batch mode.

Graphics Server 800 retrieves information about the customer's bill data for this account and packages it into a graphic format (GIF, or other graphic format) and returns it to the invoicer data server 765. It retrieves this information through the invoicer summary server application

820 that retrieves this information from the invoicer's system either at the time of the request or in a batch mode.

Generic or specific format server 810 retrieves information about the customer's bill data for this account and packages it into in specified format. This format can be IFX, OFX, EDI, or other specified format and these servers will handle the packaging of this information to be passed back to the invoicer data server 765. It retrieves this information through the invoicer summary server application 820 that retrieves this information from the invoicer's system either at the time of the request or in a batch mode.

Invoicer summary server application 820 receives request from the format servers and retrieves this invoicer information from the invoicer summary database 830. The invoicer summary database is populated by the invoicer either at the time of the request or through batch processing. Alternatively, the invoicer summary server could retrieve the information directly from the invoicer systems through some interface or specified database stored procedure.

Database 830 stores invoicer summary information that the invoicer's system either populates at the time of the request from the invoicer summary server application or is updated on a periodic basis from the invoicer systems.

Thus, the present inventions provide a dynamic inbox that conveniently allows a customer to choose which invoicers are displayed in a dynamic inbox. As the Examiner can appreciate from the above detailed description of the Dynamic In-box set forth in the present application, the structure set forth at col. 9, lines 20-40 of Ensel can not be considered sufficiently enabling to one of ordinary skill in the art to provide a proper 103 rejection and the Examiner is respectfully requested to withdraw the rejection.

#### **The Present Inventions are Not Obvious Over The Cited References**

MPEP Section 2143 points out the KSR Guidelines to be considered in a Section 103 rejection. Those guidelines have not been met as to the pending claims.

(A) Combining prior art elements according to known methods to yield predictable results;

There are no cited prior art elements to combine that would yield predictable results. The changes required by the amended claims define elements that offer no benefit to the cited references.

(B) Simple substitution of one known element for another to obtain predictable results;

There are no elements being substituted. The distinctions relate to a different element, namely that a dynamic inbox adapted to display a list of invoicers that is selectable for display in the dynamic inbox by a customer using a remote customer interface for accessing a consolidated invoicer interface. The present inventions' dynamic inbox is not relevant to the purposes of the cited references.

(C) Use of known technique to improve similar devices (methods, or products) in the same way;

The defined limitations would not improve the methods and products of the cited references and, in fact, would serve no useful purpose in the cited references.

(D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;

There are no predictable results in applying the present inventions' features, wherein a remote customer interface includes a dynamic inbox adapted to display a list of invoicers that is selectable for display in the dynamic inbox by an authorized customer.

(E) "Obvious to try" - choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;

There is no basis for making it "obvious to try" including a dynamic inbox adapted to display a list of invoicers that is selectable for display in the dynamic inbox by at least one customer, since this feature is not relevant to the purpose of the cited references. There are not a finite number of identified, predictable solutions relevant to the present inventions.

(F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art;

There is no known work cited by the Examiner that would prompt variations based on design incentives or other market forces. The variations are not predictable.

(G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed inventions.

The lack of any teaching, suggestion, or motivation in the prior art is discussed in detail above. Simply put, the disclosures of the cited references do not include a dynamic inbox adapted to display a list of invoicers that is selectable for display in the dynamic inbox by a customer and such a dynamic inbox would serve no purpose in the methods and products of the cited references.

The Applicant submits that by this response, he has placed the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Edward W. Rilee', with a stylized, cursive script.

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